LIMITED OFFICIAL USE

DEPARTMENT OF STATE

Memorandum of Conversation

949 Logged under Dos Corp

08 FEB 1978 SCS Custody Case 1 of 2

DATE: January 27, 1978

SUBJECT: JOHN STOEN CUSTODY CASE

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY _____ DATE _____
RDS☐ or XDS☐ EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☒
DECLASSIFIED☐ RELEASABLE☐
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

PARTICIPANTS: Charge d'Affaires - John Blacken
Consul -Richard McCoy
Mr. and Mrs. Timothy Stoen
Mr. Jeffrey Haas

DATE: January 6, 1978
LOCATION: American Embassy, Georgetown

COPIES TO: AMB
DCM
ARA/CAR/GY-Tumminia
CA-For Ass't Secretary Watson
CA/SCS/WW-E. A. Powers
File

Charge and Consul met with Mr. Haas and Mr. and Mrs. Stoen on January 6, to discuss the Stoens' current custody case.

Mr. Haas was hopeful that the hearing scheduled for January 7 would produce some movement in the case and speed up the judicial process so that John Stoen could be returned to his parents. However, Haas stated that regardless of how optimistic he was about the outcome of the case, he was concerned whether the GOG would enforce the court decision. Consul replied that he had no reason to believe that GOG would not enforce its order. He then alluded to the appointment for this afternoon (January 6) that Mr. and Mrs. Stoen had with the Minister of Home Affairs, Vibert Mingo.

Timothy Stoen entered the conversation at this point confirming Mr. McCoy's statement that he will meet with Minister Mingo on January 6, and stating that he intends to raise this question. Haas pressed Charge on the Embassy's position should the GOG not enforce its court order. Charge answered that he had no reason to believe the government would not enforce its court orders. Charge continued that the Guyanese government appears to want to protect

CONS:RAMcCoy/DCM:JDBlacken:jh (Clearance)
(Drafting Office and Officer)

FORM DS-1254
2-65

LIMITED OFFICIAL USE

its image as a government that prides itself on abiding by the law and one which has an independent judicial system. The Embassy would expect that the Stoen case would be handled in accordance with due process of law.

Haas did not appear to accept this reply, and said that because of previous government interference in the case (Haas was alluding to a request allegedly made by a high government official to the Clerk of the Court that a court order made on September 10 not be enforced), high officials might intervene against his clients. The Charge reiterated that he saw no recent indications that the government would intervene, and he had no reason to believe that officials would intervene in the future.

Haas pressed for a commitment by the Embassy of what it would do if the government did intervene against his client. The Charge said he would not speculate on hypothetical situations. The Embassy would not take sides in a dispute between Americans, but it had an interest in seeing that all parties adhered to due process of law. Haas then made the surprising statement that as far as he could see, there was no way, on the basis of the evidence that would be presented, that his clients could possibly lose the case. Therefore, should the judge rule otherwise, it must be because of government interference. He stated that Charge and Consul should be aware that should his clients lose their case, he intended to direct as much publicity and pressure as he could on the State Department and the GOG to rectify any adverse decision by the court because of his belief that his clients did not receive a fair hearing. Haas indicated that Congressman Leo Ryan of California was very interested in the case, as well as Congressman Duncan from Oregon and Congressman Edwards from California. Haas continued that he would not let the Department simply 'whitewash' this case to the detriment of his clients. Haas concluded that he hoped he would not have to resort to such tactics but that he would have no other choice if Mr. and Mrs. Stoen were not to regain custody of their son. Again, neither the Charge nor the Consul commented on Haas' statement. The conversation was then concluded.

Comment. It is obvious from this conversation that Haas was in effect warning the Embassy that unless his clients win their case we could expect media and congressional pressure to force the Department and the Embassy into a position of protesting any judicial decision against the Stoens. Obviously, Haas wants the Embassy to take sides, which we believe would be improper. Haas appeared unwilling to accept the fact that the Embassy must be unbiased in its approach to this case. It should be noted that Timothy Stoen informed the Consul on January 7 that Minister Mingo had assured Stoen during their meeting that any decision of the court would be enforced.